

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 46-48 are pending in the application and which are directed to elected subject matter and have been examined (and rejected). Responsive to the examiner's comments in the last paragraph of page 2 of the Official Action, the non-examined, withdrawn claims 49-85 have been canceled. This action is taken without disclaimer or without prejudice to a divisional application or applications directed to the subject matter of these claims.

Pages 3-4 of the Official Action relate to applicants' claim for benefit of priority, the examiner questioning the correct number for the first-listed (earliest filed) GB priority application. The correct number is 9515956.2. The original inventor declaration contained a typing error. A corrected one is attached freshly signed by the inventor Professor Leigh Canham. It is believed that the attached declaration will address and resolve the issues with regard to claim for benefit of priority discussed on page 3 of the Official Action.

Claim 46 has been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention and to resolve the lack of clarity rejection discussed on pages 5-6 of the Official Action.

The Official Action also includes two double patenting rejections, the first directed to U.S. 6,666,214. Submitted herewith is a Terminal Disclaimer in respect to this issued patent.

The second rejection is a provisional obviousness-type double patenting rejection and is directed to co-pending application Serial No. 11/159,340. This co-pending application is now in Group Art Unit 1651 and has not been examined on the merits. As the rejection is provisional and the present application is believed to be in condition for allowance it is not necessary to terminally disclaim over Serial No. 11/159,340. Should the examiner have any questions or concerns about this, please contact the undersigned.

It is counsel's understanding that this Amendment will place claims 46-48 in condition for allowance. Should the examiner require further information or documentation, please contact the undersigned.

CANHAM et al.
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Respectfully submitted,

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